

330.070 Qualifications -- License fee -- Continuing education requirement -- License and pocket card -- Duty of auctioneer upon termination of apprentice employment -- Placement of licenses in escrow.

- (1) In addition to the other qualifications provided for by this chapter, every applicant for any license issued by the board shall be at least eighteen (18) years of age and hold a high school diploma or equivalent. In addition, but subject to the provisions of KRS 330.090, an applicant for an auctioneer's license shall possess a current Kentucky apprentice auctioneer's license and shall have served a bona fide apprenticeship for a period of two (2) years as an apprentice auctioneer in Kentucky, provided that any applicant for auctioneer's license whose apprentice license was granted prior to August 1, 1992, shall be required to serve an apprenticeship of but one (1) year. An applicant for an auctioneer's license who has previously held an auctioneer's license which has been revoked, suspended, or which has expired without renewal may request, and the board may grant, a waiver of the requirement of possession of a current apprentice license.
- (2) Every application for a license, whether as an auctioneer, apprentice auctioneer, livestock auctioneer, tobacco auctioneer, or auction house operator, shall be submitted on forms prepared by the board. Each applicant shall furnish pertinent background data as outlined on those forms.
- (3) The issuance fee for each license issued pursuant to this chapter shall be not more than one hundred dollars (\$100) and the annual renewal fee for each license shall be not more than one hundred dollars (\$100). All licenses shall expire on June thirtieth of each year. In the absence of any reason or condition which might warrant the refusal of the renewing of the license, and upon timely receipt of the written request of the applicant and the annual fee therefor, the board shall issue a new license for each ensuing year.
- (4) Beginning with the renewal of licenses expiring on or after June 30, 1993, the board may require as a condition precedent to the renewal of any license, that all licensees complete continuing auction education up to ten (10) hours per year per licensee. The board may impose different continuing auction education requirements, or none, upon different classifications of licensees under this chapter. The continuing auction education requirements provided for in this subsection shall not apply to those individual auctioneers licensed prior to January 1, 1980.
- (5) The board shall prepare and deliver to each licensee a license and pocket card. The license and pocket card of the apprentice auctioneer shall contain the name and address of his or her principal auctioneer.
 - (a) Auction house operators shall display their licenses conspicuously and at all times in their place of business. All other licenses shall be kept on file in the licensee's place of business.
 - (b) All licensees shall carry their pocket cards with them when performing auctioneering tasks, to be shown upon request.
 - (c) Lost licenses or pocket cards will each be replaced upon request by the licensee and payment of a replacement fee of fifteen dollars (\$15).

- (6) When any apprentice auctioneer is discharged or terminates employment with the auctioneer for any reason, it shall be the immediate duty of the principal auctioneer to deliver or mail by certified mail, return receipt requested, to the board the license of the apprentice auctioneer. It shall be unlawful for any apprentice auctioneer to perform any of the acts contemplated by this chapter either directly or indirectly, under authority of his or her license, until the apprentice auctioneer receives a new license bearing a new principal auctioneer's name and address. No more than one (1) license shall be issued to any apprentice auctioneer for the same period of time.
- (7) A licensee may place his or her license in escrow with the board if the licensee does not engage in any auctioneering activity or auction house operations and continues to pay the annual renewal fees during the term of escrow.
 - (a) For each year the license is in escrow, a licensee shall be exempt from the contribution to the auctioneer's education, research, and recovery fund described in KRS 330.192(1)(b) and the continuing education requirement described in subsection (4) of this section.
 - (b) To reactivate a license in escrow, the licensee must meet the current year's continuing education requirement described in subsection (4) of this section and pay a reactivation fee of one hundred dollars (\$100).
- (8) Notice in writing shall be given to the board by each licensee of any change of principal business location or of residence address within ten (10) days of such change. In the event of change of business location address, the board shall issue a new license for the unexpired period. A change of business location without notification to the board within ten (10) days shall automatically suspend or revoke the license of such licensee, as may be ordered in the discretion of the board. Changing a business location or a residence location on its records shall entitle the board to collect ten dollars (\$10).

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 285, sec. 4, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 344, sec. 6, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 170, sec. 5, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 407, sec. 4, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 79, sec. 4, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 80, sec. 4, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 315, sec. 68. -- Amended 1970 Ky. Acts ch. 120, sec. 18. -- Created 1962 Ky. Acts ch. 251, sec. 7.